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PacifiCorp receives Corps' dredging permit approval

Bear Lake, Idaho, -- The U.S. Army Corps of Engineers announced its decision today to issue a permit to authorize PacifiCorp to dredge in Bear lake, according to a Walla Walla District regulatory official.

"The permit, when approved by the District Engineer, will allow PacifiCorp to dredge approximately 80,000 cubic yards of sand and silt from Bear Lake to deepen the existing intake channel to the Lifton Pumping Station. The dredging is needed to allow PacifiCorp to pump water from Bear Lake to fulfill its contractual obligation to provide irrigation water to downstream Bear River water users," said Brad Daly, chief of the Corps' regulatory branch in Walla Walla, Wash.

Water in the Bear River basin is managed by the Bear River Commission under the terms of the Bear River Compact which was developed and agreed to by the states of Idaho, Utah, and Wyoming and ratified by the U.S. Congress in 1955. Under the compact, PacifiCorp has the right to pump water from a full lake level of 5923.65 feet down another 21.65 feet to elevation of 5902 feet. However, under the terms of the April 10, 1995, Bear Lake Settlement Agreement between PacifiCorp, the irrigators and Bear Lake interests, PacifiCorp has agreed not to pump below elevation 5904 feet (a 19.65 foot drawdown).

The Walla Walla District issued a public notice describing the proposed project and soliciting public comments on Aug. 7, 2001. A public meeting was held shortly after the announcement was issued, in Montpelier, Idaho on Aug. 16, 2001 to provide opportunity for public comment. The meeting, hosted by Lt. Col. Richard Wagenaar, was attended by approximately 200 people representing elected officials, local Bear Lake property owners and community members and regional irrigators. The public notice comment period expired on September 6, 2001.

"We received and considered many comments and concerns both in favor of and opposed to a permit. My staff and I carefully considered and evaluated these comments and found that most of the adverse impacts resulting directly from the proposed dredging will be minor and could be adequately mitigated by conditions of the Idaho Department of Environmental Quality's water quality certification for the project. It was determined that issuing a permit to PacifiCorp would not be contrary to the public interest," said Wagenaar.

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Bear Lake Permit/2-2-2

The lake filled this year to 5912 feet (11.65 feet below full lake level). In its existing condition, the lake can be pumped down to elevation 5908 (15.65 feet below full lake level) without the need for this permit. The Corps' permit is needed only to access the last four feet of water between elevations 5908 and 5904 feet.

The permit will authorize PacifiCorp to dredge approximately 80,000 cubic yards of sand and silt to deepen the existing intake channel to elevation 5902 feet. The channel will be 3,000 feet long with a bottom width of 200 feet. This channel will allow PacifiCorp to withdraw water to elevation 5904 feet while maintaining a two-foot channel depth needed to efficiently operate the pumps. The permit will allow PacifiCorp to dredge as needed for a period of five years to maintain the proposed channel configuration.

"We attached conditions to the permit that require the dredging equipment be marked in accordance with U.S. Coast Guard standards to protect boaters in the area. We have also required PacifiCorp to post signs and provide notices at all public boating facilities during dredging operations," Daly said.

Corps officials considered that the first 15.65 feet of Bear Lake drawdown that occurs as a result of PacifiCorp's pumping can occur without the need for the Corps' permit.

"Although Bear Lake drawdown has adverse effects, the first 15.65 feet of drawdown can occur without the need for our permit and most of the adverse effects of lake drawdown occur during this initial drawdown. The dredging we have permitted only allows pumping that results in the last four feet of drawdown. Our evaluation concluded that the additional effects of pumping the lake the last four feet down to 5904 are minor," Daly said.

However, within the permit, Corps officials have also included special conditions that require PacifiCorp to conduct several measures to mitigate these adverse effects.

PacifiCorps will be required to construct and maintain a channel across the dry lakebed to St. Charles Creek to provide migration and spawning passage for Bonneville cutthroat trout. The permit also requires PacifiCorp to provide funds to the Utah Department of Parks and Recreation to deepen the entrance to the Utah State Park Marina and to extend and widen the First Point boat launching ramp. In addition, the permit requires PacifiCorp to contribute funds to the Bear Lake Regional Commission to assist with their efforts to control dry lakebed invasive weeds.

"In weighing whether to approve the permit application the Corps' evaluation also considered the serious adverse effects that would occur to the agricultural community as well as the regional economy that depends upon the irrigation water supplied by PacifiCorp from Bear Lake," Daly said. "We carefully weighed the direct effects of the dredging, the indirect effects of the additional four feet of drawdown made possible by our permit, the mitigation measures required, and the serious adverse effects of not permitting the dredging."